

PENELOPE A. PREOVOLOS (CA SBN 87607)
PPreovolos@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.7000
Facsimile: 415.268.7522

SEAN P. GATES (CA SBN 186247)
SGates@charislex.com
CHARIS LEX P.C.
301 N. Lake Ave., Suite 1100
Pasadena, California 91101
Telephone: 626.508.1717
Facsimile: 626.508.1730

Attorneys for Defendant TESLA, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID RASMUSSEN, an individual, on
behalf of himself and all others similarly
situated

Plaintiffs,

v.

TESLA, INC., a Delaware corporation.

Defendant.

Case No.: 5:19-cv-04596-BLF

**STIPULATION AND [PROPOSED] ORDER TO
CONTINUE STAY PENDING MEDIATION**

STIPULATION AND [PROPOSED] ORDER TO CONTINUE STAY PENDING MEDIATION

CASE No.: 5:19-cv-04596-BLF

1 Plaintiff David Rasmussen (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), through their
2 undersigned counsel, hereby stipulate as follows:

3 WHEREAS, on August 7, 2019, Plaintiff filed Class Action Complaint;

4 WHEREAS, the parties had a mediation on July 24, 2020 with the Hon. Daniel Weinstein and
5 Cathy Yanni of JAMS, Inc.;

6 WHEREAS, this Court previously continued the stay of this litigation to facilitate the parties’
7 continuing discussions (ECF No. 35);

8 WHEREAS, the parties are continuing their discussions in good faith and require additional time
9 to complete them;

10 WHEREAS, the parties desire to preserve the status quo and prevent the parties and the Court
11 from unnecessarily expending resources pending mediation;

12 THEREFORE, subject to the approval of the Court, the parties agree and stipulate as
13 follows: The parties will report to the Court with an update on January 31, 2020. This matter
14 shall be stayed until that date, and all other case deadlines shall be vacated.

15
16 IT IS SO STIPULATED.

17 Dated: December 15, 2020

Respectfully submitted,

18
19 By: /s/ Sean P. Gates
20 Sean P. Gates
21 CHARIS LEX P.C.
22 Attorneys for Defendant
TESLA, INC.

23 Dated: December 15, 2020

Respectfully submitted,

24
25 By: /s/ Nimish R. Desai
26 Nimish R. Desai
27 LIEFF CABRASER HEIMANN &
28 BERNSTEIN, LLP
Attorneys for Plaintiff
DAVID RASMUSSEN

ECF ATTESTATION

I, Sean Gates, am the ECF User whose ID and password are being used to file the foregoing
STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In
compliance with Local Rule 5-1, I hereby attest that Nimish Desai concurred in this filing.

Dated: December 15, 2020

By: /s/ Sean P. Gates
Sean P. Gates
CHARIS LEX P.C.
Attorneys for Defendant
TESLA, INC.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the parties will report to the Court with an update on January 31, 2020. This matter shall be stayed until that date, and all other case deadlines shall be vacated.

Dated:

Honorable Beth L. Freeman
Judge of the United States District Court